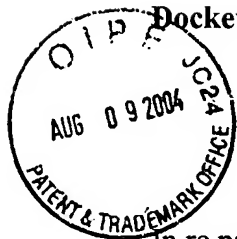


IFW



Docket No. 4829A(CIP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Applicant: David M. Glenn, et al.  
Serial No.: 10/822,886  
Date Filed: April 13, 2004  
Title: Pest Control Compositions

August 5, 2004

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for (a) pending applications, or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120.

This application is a CIP of 10/078,628 filed on February 19, 2002.

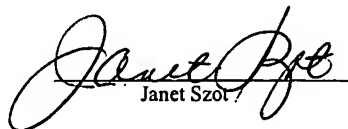
Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 222313-1450.

Date: August 5, 2004

  
Janet Szot

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) \_\_\_\_\_ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) \_\_\_\_\_ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".
- (c) \_\_\_\_\_ Abstracts by recognized library services.

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) \_\_\_\_\_ Within 3 months of the filing date or date of entry into the National Stage.
- (b)   X   Before the mailing date of a first Office action on the merits. If this Statement is not filed before the mailing date of a first Office action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 05-1070 for consideration of this Statement.
- (c) \_\_\_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.
  - (1) \_\_\_\_\_ The required certification is given below, or
  - (2) \_\_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or
  - (3) \_\_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 05-1070.

(d) \_\_\_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) \_\_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 05-1070.

4. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 05-1070.

Respectfully Submitted,

By Melanie L. Brown  
Melanie L. Brown  
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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

AUG 09 2004

PATENT & TRADEMARK OFFICE

Docket Number (Optional)

4829A(CIP)

Application Number

10/822,886

Applicant(s)

David M. Glenn et al.

Filing Date

April 13, 2004

Group Art Unit

1616

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,686,790	8/18/1987	Lahalih et al.	47/9		10/29/1985
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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

		C. Gauvrit & F. Cabanne, "Oils for Weed Control: Uses and Mode of Action", Pesticide Sc. 1993, 37: 147-153 D. Wolfenbarger and W.D. Moore, "Insect Abundances on Tomatoes and Squash Mulched with Aluminum and Plastic Sheetings", 1968, J. Econ. Entomol. 61(1):34-36 T. Hartz, J. DeVay, C.L. Elmore, "Solarization is an Effective Soil Disinfestation Technique for Strawberry Production", HortScience 28(2):104-106, 1993.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>4829A(CIP)</b>	Application Number <b>10/822,886</b>
	Applicant(s) <b>David M. Glenn et al.</b>	
	Filing Date <b>April 13, 2004</b>	Group Art Unit <b>1616</b>

**U.S. PATENT DOCUMENTS**

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**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		D.R. Decoteau M. J. Kasperbauer, P.G. Hunt, "Mulch Surface Color Affects Yield of Fresh-Market Tomatoes", 1989, J. Amer. Soc. Hort. Sci. 114(2):216-219.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Modified)  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Atty. Docket No. 4829A(CIP)	Serial No. 10/822,886
	Applicants: David M. Glenn et al.	
	Filing Date: 4/13/2004	Group:

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

**\* Copies of references previously submitted under Serial No. 10/078,628**

Examiner Initial	Document Number							Date	Name	Class	Subclass	Filing Date if Appropriate
	*3	1	2	0	4	4	5	2/4/64	Aluisi et al.	106	286	12/8/61
	*2	4	4	1	4	2	3	5/11/48	Elliot et al.	260	29	2/10/45
	*3	2	2	7	6	5	7	1/4/66	Haden et al.	252	317	9/20/62
	*3	3	4	6	5	0	7	10/10/67	Taulli	252	316	6/4/62
	*4	2	0	3	8	6	4	5/20/80	Sawyer et al.	252	314	12/30/77
	*5	3	9	3	4	6	1	2/28/95	Filipova	252	314	10/4/93
	*5	4	5	5	2	2	0	10/3/95	Dedolph	504	241	12/3/93
	*5	6	5	6	5	7	1	8/12/97	Miller et al.	504	116	5/5/95
	*4	0	9	8	6	0	0	7/4/78	Chupp	71	105	3/16/77
	*5	6	2	8	1	4	4	5/13/97	Eastin	47	58	1/6/95
	*4	3	8	2	8	6	8	5/10/83	House	252	28	8/13/81
	*4	0	7	1	3	7	4	1/31/78	Minton	106	189	6/23/75
	*2	7	3	3	1	6	0	1/31/56	Ller	117	16	
	*3	1	5	9	5	3	6	12/64	Marotta	167	12	
	*3	2	3	5	4	5	1	1965	Odeneal	167	42	
	*2	8	1	8	3	4	0	12/57	Goddin et al.	99	2	
	*4	2	7	9	8	9	5	7/81	Carle	424/ 424	127/155	
	*3	1	2	4	5	0	5	3/64	Doyle et al.			
	*4	6	3	2	9	3	6	12/86	Boase et al.	514	465	
	*2	9	4	8	6	3	2	8/60	Albert et al.			
	*5	1	2	2	5	1	8	6/92	Vrba	514	63	
	*4	2	7	4	8	8	3	6/81	Lumbeck et al.	106	308	
	*3	9	6	4	6	4	9	6/76	Alexander	222	399	
	*5	4	1	4	9	5	4	5/95	Long	43	121	
	*4	7	0	5	8	1	6	11/87	Pole	43	52	
	*5	3	9	2	5	5	9	2/95	Long	43	52	
	*5	4	8	0	6	3	8	1/87	Erwin	424	614	
	*4	6	3	4	4	6	3	1/87	Ohsuga	71		
	*5	1	8	6	9	3	5	2/93	Tucker	424	410	

Form PTO-1449 (Modified)  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Atty. Docket No.: 4829A(CIP)	Serial No.: 10/822,886
	Applicants: David M. Glenn et al..	
	Filing Date: April 13, 2004	Group: -----

REFERENCE DESIGNATION      U.S. PATENT DOCUMENTS

Examiner Initial	Document Number							Date	Name	Class	Subclass	Filing Date if Appropriate
	*3	1	2	0	4	4	5	2/4/64	Aluisi et al.	106	286	12/8/61
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	*3	3	4	6	5	0	7	10/10/67	Taulli	252	316	6/4/62
	*4	2	0	3	8	6	4	5/20/80	Sawyer et al.	252	314	12/30/77
	*5	3	9	3	4	6	1	2/28/95	Filipova	252	314	10/4/93
	*5	4	5	5	2	2	0	10/3/95	Dedolph	504	241	12/3/93
	*5	6	5	6	5	7	1	8/12/97	Miller et al.	504	116	5/5/95
	*4	0	9	8	6	0	0	7/4/78	Chupp	71	105	3/16/77
	*5	6	2	8	1	4	4	5/13/97	Eastin	47	58	1/6/95
	*4	3	8	2	8	6	8	5/10/83	House	252	28	8/13/81
	*4	0	7	1	3	7	4	1/31/78	Minton	106	189	6/23/75
	*2	7	3	3	1	6	0	1/31/56	Ller	117	16	
	*3	1	5	9	5	3	6	12/64	Marotta	167	12	
	*3	2	3	5	4	5	1	1965	Odeneal	167	42	
	*2	8	1	8	3	4	0	12/57	Goddin et al.	99	2	
	*4	2	7	9	8	9	5	7/81	Carle	424/ 424	127/155	
	*3	1	2	4	5	0	5	3/64	Doyle et al.			
	*4	6	3	2	9	3	6	12/86	Boase et al.	514	465	
	*2	9	4	8	6	3	2	8/60	Albert et al.			
	*5	1	2	2	5	1	8	6/92	Vrba	514	63	
	*4	2	7	4	8	8	3	6/81	Lumbeck et al.	106	308	
	*3	9	6	4	6	4	9	6/76	Alexander	222	399	
	*5	4	1	4	9	5	4	5/95	Long	43	121	
	*4	7	0	5	8	1	6	11/87	Pole	43	52	
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	*5	4	8	0	6	3	8	1/87	Erwin	424	614	
	*4	6	3	4	4	6	3	1/87	Ohsuga	71		
	*5	1	8	6	9	3	5	2/93	Tucker	424	410	

# FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number							Date	Country	Class	Subclass	Partial Translation	
												Yes	No
	*	D	E	20	05	19	00	0A	9/3/70	Germany			x
	*	D	E	29	26	09	5		3/80	Germany			x
	*	S	U	17	92	25	7A	3	6/11/90	Soviet Union		x	
	*	5	3	1	2	7	1	34	11/7/78	Japan	A01G	13/02	x
	*	9	4	0	9	6	2	6	5/11/94	PCT	A01N25	04	

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